

Right for Information in Power of Public Administration Bodies - RESUMÉ

There were several reasons for the choice of the topic for my thesis „Right for Information in Power of Public Administration Bodies“. The first is growing importance in possibilities to get information about civil service activities and the right of public to deal with it. The second is the way how public authorities deal with this right in their activities. And third is large legal system linked to claim the right for information which has been created because it is certain that the Czech legal system has been developing since the foundation of the Czech Republic as a democratic legal state.

The aim of my thesis is to try to create a frame for the right for information managed by authorities of public power and to show some consequences in this area.

The first chapter is about theoretically limited principles in civil service which are the base for claim the right for information. To understand clearly what the right for information is, I find it useful to describe international-legal and constitutional-legal aspects because legal form of this issue is based on them.

In the second chapter, the attention is given to the right for information linked to the law about free access to information. As this law is closely connected with all areas of public service, part of this chapter is appraisal of special legal arrangement about giving information in comparison with other rules valid for public service in this area.

The third chapter deals with substantive law of tort linked to the right for information and is focused on its validity, assessment of claimants for information and addressees of claims for information and setting basic terms. It describes the forms of releasing information and one of the most important topics which lists reasons for not releasing information. It also shows how public authorities protect rights of others.

The fourth chapter is description of procedure in giving information in all their phases from accepting the claim for information, through evaluating its content, until the moment of giving the certain information, or refusal of releasing information. It is also completed with the tools given by the law for claimants when their right for information should be limited or refused.

The conclusion of this thesis summarizes facts about the topic. Comparing international jurisdiction with the Czech one, I found out that the Czech Republic fulfils expectations of international commitment and respects European trend for access to information. If it goes for subjects and definitions of the term „information“ including the way and form of its releasing, I suggest refining current jurisdiction in the way that legal certainty is strengthened for both, either claimants or public authorities. In procedure of releasing information, I suggest making several changes connected with the law about access to information and executive rules. The reason is that nowadays public authorities replace gaps in jurisdiction with their own explanation, which can be confusing. Analyzing single aspects of right for information managed by authorities of public power, included especially in the law about access to information, I have concluded that current jurisdiction guarantees the right for information in sufficient level, however, there is some space for certain changes which can simplify the process and make it understandable.